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STC, Inc

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September 15, 2017

Daphne Jefferson
Deputy Administrator
Federal Motor Carrier Safety Administration
1200 New Jersey Avenue, SE
MC-CC, 6th Floor
Washington, DC 20590

DEPARTMENT OF
TRANSPORTATION
2018 JAN 10 A 9:1
DOCKET OPERATIONS

Re: Request for Exemption from Electronic Logging Device ("ELD") Rule for Propane Transport Drivers

Dear Ms. Jefferson:

Please allow this letter to serve as STC, Inc.'s ("STC") request for a five year exemption to the ELD Rule (49 CFR 395.8(a)) currently set to take effect December 18, 2017. STC's DOT number is 310909. STC's principal place of business is located at 4206 Cairo Road, Paducah, Kentucky 42001.

Background:

STC is a trucking company that has been in business for over 40 years and operates a fleet of approximately 75 over the road tractors and trailers. These 75 trucks and corresponding drivers would be the ones operated under this requested exemption. STC engages in regional transport of LP gas for affiliated retail propane locations throughout a ten state area located primarily in the southeastern United States. These retail locations are typically within 250-300 miles of the terminals at which STC picks up the LP gas. STC's operations are highly seasonal with the number of tractors operating and the number of drivers operating at any one time being largely dependent on the weather. STC also engages in third party hauling of anhydrous ammonia to customers' locations in the spring and early summer of each year. These customer locations are typically within 150 miles of the terminals at which STC picks up the anhydrous ammonia.

STC's Current Compliance with Hours of Service Recordkeeping Requirements:

STC's drivers are currently required to maintain paper logs for each trip when hauling LP gas. When hauling anhydrous ammonia, STC typically falls within the agricultural operations exemption found in 49 CFR 395.1(k) so no paper logs are required to be completed. However, when STC's drivers do not qualify for the agricultural operations exemption, paper logs are

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maintained. If granted the requested exemption, STC's drivers would continue to use paper logs to meet the hours of service requirements when hauling LP Gas and when hauling anhydrous ammonia when the agricultural operations exemption does not apply. Allowing STC's drivers to continue using paper logs will ensure that records of duty status continue to be maintained. Because records of duty status would continue to be maintained, there would be little to no impact on safety as a result of the granting of the exemption. The continued use of paper records of duty status would achieve a level of safety that is equivalent to the level of safety sought to be obtained through use of the ELD.

Reasons for Exemption Request:

As indicated above, STC's business is highly seasonal, i.e., most of its trucks only operate for approximately six months a year during late fall through early spring and STC's operations are regional in nature rather than long haul. Requiring STC to purchase and install ELDs in all of its trucks and provide training to the drivers who would be using those ELDs puts an onerous burden on STC given this seasonal and regional nature of its business. Given the great extent that STC's business is dependent on the weather, STC cannot reasonably forecast how many of its trucks will be in service in any given year. Requiring STC to purchase and install ELDs on trucks that may never be used creates a undue financial burden on STC. In addition, STC's business has been greatly reduced the past two years due to the warm winters. The impact of having to purchase and install ELDs on all of its trucks coupled with this reduction in business would further exacerbate the financial burden on STC. Granting the requested exemption and requiring STC's drivers to continue using paper logs would alleviate these onerous burdens while ensuring that the hours of service requirements continue to be met.

As also previously indicated above, STC's trucks typically do not operate in trips that exceed 300 miles. The National Propane Gas Association ("NPGA") has recently proposed that the current 100 air mile exemption found in 49 CFR 395.1(e)(1) be extended to 300 air miles. If this proposal were to be adopted, virtually all of STC's drivers would be exempted from maintaining logs so long as the other requirements of the air mile exemption were met. The retail propane companies with which STC is affiliated operate regularly under the 100 air mile exemption and there would be little to no burden associated with training STC's drivers to operate under the air mile exemption. Granting STC an exemption from the ELD requirements for the requested time period would allow for the NPGA proposal to be fully considered. If the proposal was not adopted, STC would continue maintaining paper logs as it has for the history of its operations. If the proposal was adopted, STC's drivers would be exempt from maintaining logs so long as the other air mile exemption requirements were met. Either way, STC would be able to continue to meet the applicable hours of service requirements without being forced to incur the enormous cost to install the ELD's and train on their use.

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For the reasons set forth herein, STC hereby requests a five year exemption from the ELD Requirement set to take effect December 18, 2017. If any additional information is needed you may reach me at (270) 450-4145 or egibson@upgas.com or at P.O. Box 2544 Paducah, Kentucky 42002.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric L. Gibson", written over a horizontal line.

Eric L. Gibson
General Counsel